

BEFORE THE  
WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION  
WASHINGTON, D. C.

ORDER NO. 633

IN THE MATTER OF:

Served August 19, 1966

Application of the Gray Line, )  
Inc., for a Certificate of )  
Public Convenience and Neces- )  
sity. )

Application No. 365

Docket No. 116

APPEARANCES: As previously noted.

On June 24, 1966, the Commission issued Order No. 626, granting the application, as amended, of the Gray Line, Inc., for authority to transport passengers in special operations, in round-trip, sightseeing and pleasure tours from Alexandria, Virginia, to other points and places and return.

An application for reconsideration of said order was timely filed by D. C. Transit System, Inc., protestant. D. C. Transit alleges six grounds as error.

The Commission is of the opinion and finds that its findings are supported by the law and the evidence. However, it is noted that one of the grounds relied upon by D. C. Transit is that the Commission erred in finding that D. C. Transit is not entitled to preference over the applicant. While the Commission discussed this matter in Order No. 626, in its application for reconsideration D. C. Transit states that the Commission did not give full consideration to its basis for such an allegation. Transit predicates its claim for preference on the ground that because it is a primary regular route carrier; it, more than any other carrier, is required to perform unprofitable, regular route operations. Therefore, if all factors are equal, it should be given preferential treatment whenever irregular route authority is involved in order to compensate for unprofitable lines. There is no substance to this contention. D. C. Transit does not conduct regular route operations in Virginia generally and in the City of Alexandria specifically. We cannot subscribe to the theory that a regular route carrier in the District of Columbia, or even further away in the State of Maryland, should

be given preference over another carrier in the Commonwealth of Virginia. The evidence clearly reveals that the Gray Line was in the transportation business in Virginia long before D. C. Transit came into existence. D. C. Transit's authority to operate in Virginia has been and is restricted to a very limited scope of operation. On the other hand, the Gray Line has conducted a substantial amount of business in Virginia for many years. D. C. Transit, based upon the evidence in this proceeding, is not entitled to preferential treatment insofar as the scope of this application is concerned on any basis whatsoever. Furthermore, its regular route fares are established to balance profitable and unprofitable lines of its operation. The Commission further finds that the application for reconsideration should be denied.

THEREFORE, IT IS ORDERED that the application of D. C. Transit System, Inc., for reconsideration of Order No. 626 be, and it is hereby, denied.

BY DIRECTION OF THE COMMISSION:

A handwritten signature in cursive script, appearing to read "Delmer Ison", written in dark ink.

DELMER ISON  
Executive Director